

AMENDED IN SENATE JUNE 24, 2003

AMENDED IN ASSEMBLY APRIL 22, 2003

CALIFORNIA LEGISLATURE—2003–04 REGULAR SESSION

ASSEMBLY BILL

No. 1546

**Introduced by Assembly Member Simitian
(Coauthors: Assembly Members Mullin and Yee)**

February 21, 2003

An act to add Chapter 2.65 (commencing with Section 65089.11) to Division 1 of Title 7 of the Government Code, and to add Section 9250.5 to the Vehicle Code, relating to local government.

LEGISLATIVE COUNSEL'S DIGEST

AB 1546, as amended, Simitian. San Mateo County: vehicle fee for congestion and stormwater management programs.

Existing law provides for the imposition by air districts and other local agencies of fees on the registration of motor vehicles in certain areas of the state that are in addition to the basic vehicle registration fee collected by the Department of Motor Vehicles.

This bill would authorize the City/County Association of Governments of San Mateo County to impose an annual fee of up to \$4 on motor vehicles registered within San Mateo County for a program for the management of traffic congestion and stormwater pollution within that county. The bill would require a program with performance measures and a budget before the fee may be imposed. The bill would require the Department of Motor Vehicles to collect the fee and distribute the proceeds, after deduction of specified administrative costs, to the association. The fee would terminate on January 1, 2009.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Chapter 2.65 (commencing with Section
2 65089.11) is added to Division 1 of *Title 7 of the Government*
3 *Code*, to read:

4

5 CHAPTER 2.65. MANAGEMENT OF TRAFFIC CONGESTION AND
6 STORMWATER POLLUTION IN SAN MATEO COUNTY

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8 65089.11. (a) The City/County Association of Governments
9 of San Mateo County, which has been formed by the resolutions
10 of a majority of the city councils and the board of supervisors
11 within San Mateo County, and which represents a majority of the
12 population in the incorporated area of San Mateo County, may
13 impose a fee of up to four dollars (\$4) on motor vehicles registered
14 within San Mateo County. The City/County Association of
15 Governments of San Mateo County may impose the fee only if the
16 board of the association adopts a resolution providing for both the
17 fee and a corresponding program for the management of traffic
18 congestion and stormwater pollution within San Mateo County as
19 set forth in Sections 65089.12 and 65089.13.

20 (b) A fee imposed pursuant to this section shall ~~become~~
21 ~~effective on the date specified in~~ *not become operative until July*
22 *1, 2004, pursuant to the resolution adopted by the board pursuant*
23 ~~to~~ *in* subdivision (a).

24 (c) The fee shall terminate on January 1, 2009, unless
25 reauthorized by the Legislature.

26 65089.12. (a) The fees distributed to the City/County
27 Association of Governments of San Mateo County pursuant to
28 Section ~~9250.16~~ 9250.5 of the Vehicle Code shall be used for
29 purposes of congestion management and stormwater pollution
30 prevention as specified in its adopted congestion management
31 program, pursuant to Section 65089, and its approved National
32 Pollutant Discharge Elimination System permit issued pursuant to
33 the federal Clean Water Act (33 U.S.C. Sec. 1251 et seq.).

34 (b) Not more than 5 percent of the fees distributed to the
35 City/County Association of Governments of San Mateo County



1 shall be used by the association for its administrative costs
2 associated with the program.

3 65089.13. Prior to the imposition of the fee by the
4 City/County Association of Governments of San Mateo County,
5 a specific program with performance measures and a budget shall
6 first be developed and adopted by the association at a noticed
7 public hearing.

8 SEC. 2. Section 9250.5 is added to the Vehicle Code, to read:

9 9250.5. (a) The department shall, if requested by the
10 City/County Association of Governments of San Mateo County,
11 collect the fee imposed pursuant to Section 65089.11 of the
12 Government Code upon the registration or renewal of registration
13 of any motor vehicle registered in the county, except those vehicles
14 that are expressly exempted under this code from the payment of
15 registration fees.

16 (b) After deducting all costs incurred pursuant to this section,
17 the department shall distribute the revenues to the City/County
18 Association of Governments of San Mateo County.

19 ~~(c) The department may annually expend for its administrative~~
20 ~~costs not more than the following percentages of the fees collected~~
21 ~~pursuant to subdivision (a):~~

22 ~~(1) During the first year after the fee is imposed, 5 percent.~~

23 ~~(2) During the second year after the fee is imposed, 3 percent.~~

24 ~~(3) During any subsequent year, 1 percent.~~

